

MARRIAGE LICENSE FEES AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends an amount added to a marriage license fee to provide funding for the operation of shelters for victims of domestic violence.

Highlighted Provisions:

This bill:

- ▶ increases an additional amount added to a marriage license fee to provide funding for the operation of shelters for victims of domestic violence;
- ▶ repeals a marriage license applicant's option to not pay the additional amount; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-16-21, as last amended by Laws of Utah 2018, Chapter 347

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-16-21** is amended to read:

17-16-21. Fees of county officers.



28 (1) As used in this section, "county officer" means a county officer enumerated in
 29 Section 17-53-101 except a county recorder, a county constable, or a county sheriff.

30 (2) (a) A county officer shall collect, in advance, for exclusive county use and benefit:

31 (i) a fee established by the county legislative body under Section 17-53-211; and

32 (ii) any other fee authorized or required by law.

33 (b) As long as the Children's Legal Defense Account is authorized by Section
 34 51-9-408, the county clerk shall:

35 (i) assess \$10 in addition to whatever fee for a marriage license is established under
 36 authority of this section; and

37 (ii) transmit \$10 from each marriage license fee to the ~~H~~→ ~~[Division of Finance]~~ state
 37a treasurer ←~~H~~ for deposit
 38 in the Children's Legal Defense Account.

39 (c) ~~[(i)]~~ As long as the Division of Child and Family Services, created in Section
 40 62A-4a-103, has the responsibility under Section 62A-4a-105 to provide services, including
 41 temporary shelter, for victims of domestic violence, the county clerk shall:

42 ~~[(A)]~~ (i) collect ~~[\$10]~~ \$35 in addition to whatever fee for a marriage license is
 43 established under authority of this section and in addition to the amount described in
 44 Subsection (2)(b)~~], if an applicant chooses, as provided in Subsection (2)(c)(ii), to pay the~~
 45 ~~additional \$10];~~ and

46 ~~[(B)]~~ (ii) ~~[to the extent actually paid;]~~ transmit ~~[\$10]~~ \$35 from each marriage license
 47 fee to the ~~H~~→ ~~[Division of Finance]~~ state treasurer ←~~H~~ for distribution to the Division of Child
 47a and Family Services for
 48 the operation of shelters for victims of domestic violence.

49 ~~[(ii) (A) The county clerk shall provide a method for an applicant for a marriage license~~
 50 ~~to choose to pay the additional \$10 referred to in Subsection (2)(c)(i).]~~

51 ~~[(B) An applicant for a marriage license may choose not to pay the additional \$10~~
 52 ~~referred to in Subsection (2)(c)(i) without affecting the applicant's ability to be issued a~~
 53 ~~marriage license.]~~

54 (d) If a county operates an online marriage application system, the county clerk of that
 55 county:

56 (i) may assess \$20 in addition to the other fees for a marriage license established under
 57 this section;

58 (ii) except as provided in Subsection (2)(d)(iii), shall transmit \$20 from the marriage

59 license fee to the state treasurer for deposit annually as follows:

60 (A) the first \$400,000 shall accrue to the Utah Marriage Commission, created in
61 Section 62A-1-120, as dedicated credits for the operation of the Utah Marriage Commission;
62 and

63 (B) proceeds in excess of \$400,000 shall be deposited into the General Fund; and

64 (iii) may not transmit \$20 from the marriage license fee to the state treasurer under this
65 Subsection (2)(d) if both individuals seeking the marriage license certify that they have
66 completed premarital counseling or education in accordance with Section 30-1-34.

67 (3) This section does not apply to a fee currently being assessed by the state but
68 collected by a county officer.